

HOUSE JUDICIARY COMMITTEE AMENDMENT

AMENDMENT NO. \_\_\_\_\_

\_\_\_\_\_  
**Signature of Sponsor**

**AMEND Senate Bill No. 2482**

**House Bill No. 2342\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language after the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Title 38, Chapter 1, is amended by adding the following as a new, appropriately designated part:

Section \_\_\_\_\_. The purpose of this part is to curtail the crime of statutory rape, to require the reporting of a condition believed to be indicative thereto, and, being necessary for the health, peace and safety of the public, to protect minors in a specified age range, who are not legally competent to consent to sex, from rape.

Section \_\_\_\_\_. (a) If, during any treatment or examination of any child between the ages of at least thirteen (13) but less than eighteen (18) years of age, a determination is made that such child is pregnant, and if it is learned during the course of the treatment or examination that the alleged father is at least four (4) years older than but not the legal spouse of the victim, in accordance with the provisions of Sections 39-13-506 and 39-13-507, the doctor, physician, surgeon, health care provider or other person examining or treating the child or diagnosing the condition is encouraged to, upon obtaining the consent of the patient, a parent, legal guardian or custodian, and within twenty-four (24) hours of the time of the treatment, examination or diagnosis, report the same by telephone or otherwise, to the judge having juvenile jurisdiction or to the office of sheriff or the chief law enforcement official of the municipality where the child resides.

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(b) Injuries to minors which are required to be reported by Section 37-1-403 are not required to be reported under this part.

Section \_\_\_\_\_. The report may include, to the extent known by the doctor, physician, surgeon, health care provider or other person filing the report the name, address and age of the child; the name, address and age of the alleged father; the alleged father's whereabouts at the time the report is made; the results of the diagnosis and the facts requiring the report. The report may include any other pertinent information.

Section \_\_\_\_\_. Reports made under this part and the identity of the person filing the report are confidential except when the court having jurisdiction determines the testimony of the person reporting to be material to an indictment or conviction.

Section \_\_\_\_\_. When a person who is at least thirteen (13) years of age but less than eighteen (18) years of age, or a parent, legal guardian or custodian on behalf of such person, applies to the department of human services for child support services, aid to families with dependent children (AFDC) or any other program designed to provide similar public assistance, and the department determines from the application or during the course of any interview with the applicant that the father or alleged father of the child is at least four (4) years older than such child's mother, the department shall report such information

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indicating the occurrence of a possible statutory rape to the appropriate law enforcement agency and district attorney general.

Section 2. This act shall take effect upon becoming a law, the public welfare requiring it.

<b>FILED</b>
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